IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS	:	VORA, SANJAY et al. Confirmation No. 3007
SERIAL NO.	:	09/222,554
FILED	:	December 29, 1998
FOR	:	STRUCTURED WEB ADVERTISING
GROUP ART UNIT	:	2176
EXAMINER	:	Huynh, Cong Lac T

MAIL STOP APPEAL BRIEF - PATENTS
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RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

SIR:

In response to the Notification of Non-Compliant Appeal Brief mailed on November 16, 2007, please reconsider the above-identified application based on the following. Since the Notice of Noncompliance indicates that only the corrected section of the non-compliant Appeal Brief must be resubmitted, accordingly, Applicants submit below the following.

The Notice also indicates that the summary of claimed subject matter should map independent claims 1, 2, 3, 16, 20, 21, 22 and 25 which are on appeal, explicitly to the specification by page and line numbers, and to the drawings, if any. No other matter needing correction was identified in the Notice.

3.   **STATUS OF CLAIMS:**

This application currently contains claims 1-9, and 13-25. Claims 10-12 were canceled.

Claims 1-9 and 13-25 are rejected. Claims 1-3, 16, 20-22, and 25 are independent. Claims 1-3,

8-9, 13-14, 17-22, and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over

Skopp et al., U.S. Patent No. 6,256,739 (hereinafter "Skopp") in view of Broder et al., U.S. Patent

No. 6,037,135 (hereinafter "Broder") in view of Cooper et al. , U.S. Patent No. 6,101,503

("Cooper"). Claims 4-7 and 23-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable

over Skopp, Broder and Cooper in further view of Markowitz et al., U.S. Patent No. 6,311,185 B1

(hereinafter "Markowitz"). Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable

over Skopp, Broder, and Cooper in further view of Yu, U.S. Patent No. 6,067,552 (hereinafter

"Yu"). Claim 16 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Skopp.

5.   **SUMMARY OF THE CLAIMED SUBJECT MATTER:**

Information from different sources is frequently linked, through physical means (e.g. cut-and-paste) or using computers or similar means. Through this linking, two formerly unassociated units of information become associated, so that a user accessing one unit of information will be presented with both. For example, a user accessing a Web page will also access any electronic advertisements displayed on that page.

Often, one of these units of information will be predetermined (or "given"). Another unit of information will then be selected (or "chosen") to be linked to the given unit of information. The chosen information unit will often be selected from among a group of information units eligible for linking to the given information unit. This group of information units is referred to as "candidate information" because it includes units of information which are candidates to be selected for linking to the given piece of information. For example, a group of electronic advertisements would constitute candidate information if it was available for linking to a Web site (given information). The candidate information group may contain many units of candidate information, and there may be continual adding and deleting of units from the group.

The content (including characteristics) of the given information unit usually will determine which candidate information unit will be linked to the given information unit. The content of the given information is compared with the content (including characteristics) of the candidate information, and the best match is selected.

The field of advertising commonly presents occasions for linking of information. Advertisers seek to target their ads to consumers likely to consume their products. Linking the ads to information that these consumers desire enables the advertisers to target these consumers. For example, magazine publishers producing an issue focusing on a particular topic may attempt to

attract advertisements from advertisers related to that topic, and may place the ads in the magazine near the relevant stories.

Publication of information on the World Wide Web is largely advertiser-funded. Operators of Web sites provide information on various pages of those sites which users access over the Internet. Web site operators place advertisements on their sites in exchange for payments from advertisers. These advertisements may include electronic displays of text and/or pictures, and may include links to Web sites operated by the advertiser.

Placing an advertisement on a Web page is an example of selecting a candidate information unit (advertisement) for a given information unit (Web page), and linking the two together. By matching the content of the given information unit to the candidate information units, the advertiser is able to target the users accessing the given information.

In the above-mentioned example, the given information is manually examined and compared to the candidate information in order to select one of the candidates to link to the given information. This laborious and time-intensive process is a limit on the linking of information. Furthermore, the candidate information group is usually not organized specifically for the purpose of selecting and linking the candidate information. Only the most general linkings are practical, such as, for example, linking ads to magazines with a focused audience, or a special issue devoted to a certain topic.

Web sites generally contain advertisements related to their general, but not specific content. Web sites including multiple Web pages may be divided into sections for certain topics. Advertisements related to those topics are allocated to the related sections, but it is not presently practical to allocate ads based on page-by-page content.

In addition to manual examination of given information, manual processing of the information, and linking to selected candidate information, as described above, other techniques have been used by Web advertisers to target their advertisements to certain users. Web search engine operators employ user-input data to present certain ads to users. When a user inputs search terms to retrieve links to Internet sites, the search engine compares the user-input information to Web site descriptors contained on the site (meta-text) to retrieve addresses of sites containing matches to the search terms. The search engine substantially simultaneously searches a database of advertisements for matches to the input search terms. The search engine then displays links to the retrieved Web sites along with selected advertisements.

Another method by which computer software can provide information to a user, based on user inputs, is a feature of some user-oriented software programs (*e.g.* word-processing programs). This feature continually compares user keystrokes and command selections to a database containing lists of inefficient keystrokes and command selections and corresponding user messages. When a match is found, the software will display a message to the user suggesting a more efficient way to perform the user's desired task. In this way, even though the user is not aware of which of the user inputs will trigger a message, valuable information will be sent to the user automatically.

Independent claim 1 recites a method for associating a chosen information unit with a given information unit. In a first operation, the method automatically determines a content data of the given information unit by searching the given information unit (see e.g., pg. 7, lines 3-14 and element 1 of Fig. 2), indexing the given information unit to produce indexed data (Id.), and performing a relevancy ranking on the indexed data (see, e.g, pg. 7, line 15 to pg. 8, line 9 and element 2 of Fig. 2). In the second operation, the method automatically selects the chosen

information unit as a function of the relevancy ranking on the indexed data (see, e.g., pg. 10, line, 20 to pg. 11, line 8 and element 4 in Fig. 2).

Independent claim 2 recites a method for selecting a candidate information unit for linking to a given information unit. First, content data of the candidate information unit is determined (see, e.g., pg. 8, line 17 to pg. 9, line 6 and element 21 in Fig. 3). Then, a content data of the given information unit is automatically determined by searching the given information unit (see e.g., pg. 7, lines 3-14 and element 1 of Fig. 2), indexing the given information unit to produce indexed data (Id.), and performing a relevancy ranking on the indexed data (see, e.g., pg. 7, line 15 to pg. 8, line 9 and element 2 of Fig. 2). Next, the ranked index data of the given information unit is compared to the content data of the candidate information unit (see, e.g., pg. 8, lines 10-16 and element 3 in Fig. 2). Then, the candidate information unit for linking to the given information unit is elected as a function of said comparing the ranked index data of the given information unit to the content data of the candidate information unit (see, e.g., pg. 10, line, 20 to pg. 11, line 8 and element 4 in Fig. 2).

Independent claim 3 recites a method for selecting a candidate information unit for linking to a given information unit. First, a content data of the candidate information unit is determined (see, e.g., pg. 8, line 17 to pg. 9, line 6 and element 21 in Fig. 3). Then, a content data of the given information unit is automatically determined by searching the given information unit (see e.g., pg. 7, lines 3-14 and element 1 of Fig. 2), indexing the given information unit to produce indexed data (Id.), and performing a relevancy ranking on the indexed data (see, e.g., pg. 7, line 15 to pg. 8, line 9 and element 2 of Fig. 2). Next, the ranked indexed data of the given information unit is automatically compared to the content data of the candidate information unit (see, e.g., pg. 8, lines 10-16 and element 3 in Fig. 2). Then, the candidate information unit for linking to the given

information unit is selected as a function of automatically comparing the ranked indexed data of the given information unit to the content data of the candidate information unit (see, e.g., pg. 10, line, 20 to pg. 11, line 8 and element 4 in Fig. 2).

Independent claim 16 recites a method for associating a chosen information unit with a given information unit. First, a user computer system data is automatically determined by running a diagnostic program on the user computer system to determine at least one of a component coupled in the user computer system and a software program loaded on the user computer system (see, e.g., pg. 20, line 20 to pg. 21, lines 4 and element 82 in Fig. 9). Then, a chosen information unit is selected as a function of the user computer system data (see, e.g., pg. 21, lines 7-10 and element 84 in Fig. 9).

Independent claim 20 recites an article comprising a storage medium including a set of instructions, the set of instructions capable of being executed by a processor to implement a method for associating a chosen information unit with a given information unit. In a first operation, the method automatically determines a content data of the given information unit by searching the given information unit (see e.g., pg. 7, lines 3-14 and element 1 of Fig. 2), indexing the given information unit to produce indexed data (Id.), and performing a relevancy ranking on the indexed data (see, e.g, pg. 7, line 15 to pg. 8, line 9 and element 2 of Fig. 2). In the second operation, the method automatically selects the chosen information unit as a function of the relevancy ranking on the indexed data (see, e.g., pg. 10, line, 20 to pg. 11, line 8 and element 4 in Fig. 2).

Independent claim 21 recites an article comprising a storage medium including a set of instructions, the set of instructions capable of being executed by a processor to implement a method for selecting a candidate information unit for linking to a given information unit. First, content data of the candidate information unit is determined (see, e.g., pg. 8, line 17 to pg. 9, line 6

and element 21 in Fig. 3). Then, a content data of the given information unit is automatically determined by searching the given information unit (see e.g., pg. 7, lines 3-14 and element 1 of Fig. 2), indexing the given information unit to produce indexed data (Id.), and performing a relevancy ranking on the indexed data (see, e.g., pg. 7, line 15 to pg. 8, line 9 and element 2 of Fig. 2). Next, the ranked index data of the given information unit is compared to the content data of the candidate information unit (see, e.g., pg. 8, lines 10-16 and element 3 in Fig. 2). Then, the candidate information unit for linking to the given information unit is elected as a function of said comparing the ranked index data of the given information unit to the content data of the candidate information unit (see, e.g., pg. 10, line, 20 to pg. 11, line 8 and element 4 in Fig. 2).

Independent claim 22 recites an article comprising a storage medium including a set of instructions, the set of instructions capable of being executed by a processor to implement a method for selecting a candidate information unit for linking to a given information unit. First, a content data of the candidate information unit is automatically determined by searching the given information unit (see e.g., pg. 7, lines 3-14 and element 1 of Fig. 2) indexing the given information unit to produce indexed data (Id.), and performing relevancy ranking on the indexed data (see, e.g., pg. 7, line 15 to pg. 8, line 9 and element 2 of Fig. 2). Then, a user computer system data is automatically determined by running a diagnostic program on the user computer system to determine a component coupled in the user computer system or a software program loaded on the user computer system (see, e.g., pg. 20, line 20 to pg. 21, lines 4 and element 82 in Fig. 9). Next, content data of the candidate information unit is determined (see, e.g., pg. 8, line 17 to pg. 9, line 6 and element 21 in Fig. 3). Next, the content data of the candidate information unit is compared to two of the following: a ranked index data of the given information unit, a user computer system data, and a user input data (see, e.g., pg. 21, lines 5-18 and element 83-88 of Fig. 9). Then, the

candidate information unit for linking to the given information unit is selected as a function of the comparison (Id.).

Independent claim 25 recites a computer system including a server (see, e.g., pg. 6, line 17 to pg. 7, line 2 and element 30 in Fig. 1), a given information unit and a candidate information unit where the server is adapted to determine a content of the candidate information unit. The server is to automatically determine a content of the given information unit by searching the given information unit (see e.g., pg. 7, lines 3-14 and element 1 of Fig. 2), indexing the given information unit to produce indexed data (Id.), and performing a relevancy ranking on the indexed data (see, e.g., pg. 7 line 15 to pg. 8, line 9 and element 2 of Fig. 2). The server is also to automatically compare the ranked index data of the given information unit to the content data of the candidate information unit to create a comparison result, and link the candidate information unit to the given information unit as a function of the comparison result (see, e.g., pg. 10, line, 20 to pg. 11, line 8 and element 4 in Fig. 2).

REMARKS

This is in response to the Notice of Non-Compliant Appeal Brief mailed on November 16, 2007 indicating that the Applicants' Appeal Brief filed on November 5, 2007, requiring a listing of the status of all claims and the summary of the claimed subject matter mapping the independent claims on appeal, explicitly to the specification by page and line numbers, and to the drawings, if any.

Accordingly, the Applicants has included under the heading 3. Status of Claims, claims 10-12, which were canceled, and inadvertently not listed under the section, Status of Claims, in the Appeal Brief filed on November 5, 2007. No new matter has been added.

Applicants has also included under the heading 5. Summary of the Claimed Subject Matter, the mapping for independent claims 20 and 21 on appeal, explicitly mapped to the specification by page and line numbers, and to the drawings, which was inadvertently not listed under the section, Summary of the Claimed Subject Matter, in the Appeal Brief filed on November 5, 2007. No new matter has been added.

Conclusion

In light of the foregoing, the Applicants submit that the foregoing now places the Appeal Brief filed on November 5, 2007 in condition for further review, and respectfully requests that the Board of Patent Appeals and Interferences reverse the Examiner's decision rejecting claims 1-9 and 13-25 and direct the Examiner to pass the case to issue.

Although it is believed no further fees are due, the Commissioner is hereby authorized to charge any fees which may be necessary for consideration of this paper to Kenyon & Kenyon, Deposit Account No. 11-0600. A copy of this sheet is enclosed for that purpose.

Respectfully submitted,

Date: January 16, 2008   By: _____

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